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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/397,188	09/16/1999	GORDON GRIGOR	0100.9900670	8413

23418 7590 03/31/2003

VEDDER PRICE KAUFMAN & KAMMHOLZ
222 N. LASALLE STREET
CHICAGO, IL 60601

EXAMINER

CHAUHAN, ULKA J

ART UNIT	PAPER NUMBER
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2676

DATE MAILED: 03/31/2003

9

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/397,188

Applicant(s)

GRIGOR ET AL.

Examiner

Ulka J. Chauhan

Art Unit

2676

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 03 March 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☐ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:


Claim(s) allowed: _____.

Claim(s) objected to: _____.

Claim(s) rejected: _____.

Claim(s) withdrawn from consideration: _____.

8. ☐ The proposed drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____


Ulka J. Chauhan
Primary Examiner
Art Unit: 2676

Continuation of 5. does NOT place the application in condition for allowance because:

Applicant's arguments filed 3/3/03 have been fully considered but they are not persuasive. Applicant argues that the cited prior art fails to teach the limitations recited in claim 1. As argued in the previous office actions, Engstrom discloses rendering a display image to a back buffer ("stored at a first memory location of a first frame buffer") [col. 15 lines 27-43] and when an application completes rendering to back buffer, it flips the front and the back buffer to display from the front buffer after ensuring that the application does not begin writing to a buffer that the display device is reading [col. 7 lines 25-29 and col. 19 lines 57-61]. Engstrom discloses reading the scan line register to analyze the scan line position ("determining a second memory location representative of a raster location") [col. 21 lines 28-33]. Engstrom discloses that if the position of the scan line is less than the position at the time of the last flip, then it is assumed that the display address has been changed, and the page was flipped, and it is safe to update the display address for the current flip request [col. 21 lines 28-48]. This would indicate a flip of the front and back buffer to proceed so that the application can start writing to the back buffer ("enabling... storage of the image at the first memory location when the second memory location indicates the raster has accessed data at the first memory location"). However, if the current position of the scan line is below the position of the scan line at the last flip, and a refresh amount of time has not elapsed, then an error is returned and the front and back buffer are not flipped ("preventing storage... when the second memory location indicates the raster has not accessed data at the first memory location") [col. 22 lines 19-30 and Fig. 12A].

Applicant also argues that Engstrom requires at least two buffers while the claimed invention is not restricted to two buffers. In response to applicant's argument, it is noted that this feature is not recited in the rejected claims. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed Cir. 1993).

Applicant also requests supporting reference to be cited in view of the Official Notice. A reference will be provided to support the Official Notice in response to a filing of a proper reply to the final rejection..